







**CONFIDENTIAL**

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
PUBLIC HEALTH SERVICE  
HEALTH RESOURCES ADMINISTRATION  
Rockville, Maryland 20852

MAR 6 1974

BUREAU OF HEALTH RESOURCES  
DEVELOPMENT

TO: RMP COORDINATORS, RAG CHAIRMEN, GRANTEES, REGIONAL DIRECTORS  
and REGIONAL HEALTH ADMINISTRATORS

SUBJECT: Compliance with Court Order

In accordance with the February 7, 1974 Order of Judge Thomas A. Flannery, in the Case of National Association of Regional Medical Programs v. Weinberger, the following actions are taken:

1. The RMPS documents listed below are hereby rescinded:
  - a. Telegram of February 2, 1973, signed by Harold Margulies, M.D., announcing the phaseout of the RMP program;
  - b. Letter of February 22, 1973, signed by Harold Margulies, M.D., refining and clarifying the above telegram and specifying requirements for phaseout plans;
  - c. Telegram of July 5, 1973, signed by Herbert B. Pahl, Ph.D., concerning RMPS support through September 30, 1973, and limitations on expenditure of the awarded \$6.9 million Fiscal Year 1973 balance; (see attachments)
  - d. Letter of September 7, 1973, signed by Herbert B. Pahl, Ph.D., specifying RMPS application instructions for Fiscal Year 1974;
  - e. All RMPS written communications stating or implying that the amount of Federal funds available for obligation and expenditure under Title IX of the Public Health Service Act are less than the full amount appropriated or otherwise made available by Congress for Fiscal Years 1973 and 1974;

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- f. All other RMPS written communications or portions thereof that are contrary to the letter or intent of the Court Order.
2. Any requirement, either expressed or implied, that the use of Title IX funds is restricted to the five "Priority and Option" areas enumerated in the September 7, 1973, application instructions is specifically rescinded.
  3. The June 30, 1974, termination date for expenditure of PHS Title IX funds is specifically rescinded.
  4. The RMP Mission Statement approved by Council on May 11, 1971, and issued on June 30, 1971, is reinstated.

Nothing in this notice of rescission changes the amount awarded, or the conditions of any contract, or removes any RMP National Advisory Council-recommended condition of a grant award. The current grants will be amended to extend the budget period through June 30, 1975. Ordinarily, Regional Medical Programs may exercise reasonable discretion in interpreting and applying the above instructions. Where there is substantial doubt with respect to the meaning or applicability of these in specific cases, the Regions are expected to contact the Director, Division of Regional Medical Programs, for necessary clarification.

Sincerely yours,



Herbert B. Pahl, Ph.D.  
Acting Director  
Division of Regional Medical Programs

Enclosures

ATTACHMENT I

In June 1973, \$6.9 million remaining from the then apportioned fiscal year 1973 funds was awarded to the Regional Medical Programs. On instructions from the Department, amounts were awarded to individual Regions based on needs and conditions existing at that time. All but five Regions received some portion of the funds awarded. Expenditure of these funds by RMPs, however, was not permitted pending a future announcement by HEW of the purposes for which the funds could be spent.

The Court Order of February 7, 1974, called for release of the restricted funds for expenditure, and accordingly, DRMP has recalculated the distribution of the \$6.9 million fiscal year 1973 year-end balance in order to utilize the released funds effectively and insure that each of the 53 RMPs receives its appropriate share. The revised amount shown in Attachment II for each Region has been calculated using the same method as the October 1, 1973 and January 1, 1974 RMP awards. If the amount awarded to your Region in June 1973 is less than that shown in Attachment II, you will soon receive an amended award for the difference. If your Region has received more than its revised share of the June 1973 distribution, the difference will be subtracted from the amount to be awarded subsequent to the June 1974 Council review.

Funds may be used for program activities that are consistent with Title IX of the PHS Act and the "RMP Mission Statement" of June 30, 1971. To keep our records on your program up-to-date, we will need updated or new page 15's and page 16's on the activities for which the funds are allocated. Please send the necessary documentation to your Operations Officer in the Division of Regional Medical Programs no later than April 15, 1974. While your plan for use of these funds is not subject to DRMP review, any "new" activities funded should, of course, receive normal review and approval locally.

3/6/74  
DRMP

REVISED  
DISTRIBUTION OF \$6.9 M FY 1973 FUNDS  
AWARDED JUNE 30, 1973

<u>REGION</u>	<u>DISTRIBUTION</u>
1. Alabama	\$ 118,117
2. Albany	93,799
3. Arkansas	138,266
4. Arizona	103,526
5. Bi-State	76,429
6. California	761,481
7. Central N.Y.	61,143
8. Colo./Wyo.	96,578
9. Connecticut	138,961
10. Florida	196,630
11. Georgia	224,422
12. Greater Dela. Val.	170,227
13. Hawaii	94,494
14. Illinois	232,065
15. Indiana	87,546
16. Intermountain	218,864
17. Iowa	80,598
18. Kansas	135,487
19. Lakes Area	133,403
20. Louisiana	77,819
21. Maine	84,072
22. Maryland	65,312
23. Memphis	142,435
24. Metro. D.C.	68,786
25. Michigan	180,649
26. Mississippi	93,799
27. Missouri	143,825
28. Mtn. States	135,487
29. Nassau/Suffolk	83,377
30. Nebraska	52,806
31. New Jersey	183,429
32. New Mexico	100,052
33. New York Metro	132,013
34. No. Carolina	168,838
35. No. Dakota	35,435
36. No. N. England	72,955
37. Northlands	132,013
38. Ohio Valley	143,130
	64,617

39.	Oklahoma	64,617
40.	Oregon	83,377
41.	Puerto Rico	87,546
42.	Rochester	80,598
43.	So. Carolina	148,688
44.	So. Dakota	34,742
45.	Susq. Valley	64,617
46.	Tenn. Mid. So.	189,682
47.	Texas	145,909
48.	Tri-State	163,974
49.	Virginia	105,611
50.	Wash./Alaska	157,026
51.	West Virginia	87,546
52.	Western Pa.	120,202
53.	Wisconsin	155,637
Total		\$ 6,948,040